

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:04-cr-00250-RJC

USA,

vs.

JOHN MICHAEL MCDOWELL,

)
)
)
)
)
)

ORDER

THIS MATTER is before the Court upon motions of the defendant to reconsider the imposition of court-appointed counsel fees. (Doc. Nos. 781, 782).

The Court sentenced the defendant on October 18, 2005, and entered its Judgment on November 3, 2005. (Doc. No. 317). As part of the sentence, the Court ordered the defendant to pay the cost of his court-appointed attorney. (Id. at 4). The United States Court of Appeals for the Fourth Circuit affirmed the defendant's sentence on September 5, 2006; therefore, the Judgment became final on or about December 4, 2006. Fed. R. App. P. 4(b) (2008); United States v. Clay, 537 U.S. 522, 525 (2003) (conviction becomes final when time runs for seeking appellate review). The defendant has not shown that the Court has the authority to alter the final Judgment, Fed. R. Crim. P. 35, or to remit the financial obligation on his motion, 18 U.S.C. § 3573.

IT IS, THEREFORE, ORDERED, that the defendant's Motions to Reconsider Court-Appointed Counsel Fees (Doc. Nos. 781, 782) are **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: July 29, 2015

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

